

## **BILL ANALYSIS**

S.B. 1147  
By: Buckingham  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been reported that medication-assisted treatment may be an effective means to treat alcohol dependence. There have been calls to allow judges to require that a defendant convicted of an intoxication offense submit to an evaluation as a condition of community supervision for purposes of determining whether the defendant would benefit from medication-assisted treatment. S.B. 1147 seeks to address these calls by revising the conditions of community supervision applicable to certain intoxication offenses.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1147 amends the Code of Criminal Procedure to authorize a judge, if, based on an evaluation for purposes of alcohol or drug rehabilitation required for a defendant who is convicted of certain intoxication offenses and granted community supervision, the judge determines that the defendant would likely benefit from medication-assisted treatment approved by the U.S. Food and Drug Administration for alcohol dependence, to require as a condition of community supervision that the defendant submit to an evaluation by a licensed physician to determine whether the defendant would benefit from medication-assisted treatment. The bill establishes that only a licensed physician may recommend that a defendant participate in such medication-assisted treatment. The bill entitles a defendant to refuse to participate in medication-assisted treatment and prohibits a judge from requiring that the defendant participate in medication-assisted treatment as a condition of community supervision.

### **EFFECTIVE DATE**

September 1, 2019.